

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of

PROMESA
TITLE III
Case No. 17-BK-3283
(LTS)

THE COMMONWEALTH OF PUERTO RICO, et al.,
THE EMPLOYEES' RETIREMENT SYSTEM
OF THE GOVERNMENT OF
THE COMMONWEALTH OF PUERTO RICO,
AND THE PUERTO RICO
PUBLIC BUILDINGS AUTHORITY

Debtors¹

DEMETRIO AMADOR INC./DEMETRIO AMADOR ROBERTS ("AMADOR")
OBJECTION TO THE REVISED PROPOSED ORDER AND JUDGMENT
CONFIRMING MODIFIED EIGHTH AMENDED TITLE III JOINT PLAN FILED AT
DOCKET 19188

TO THE HONORABLE UNITED STATES DISTRICT COURT
JUDGE LAURA TAYLOR SWAIN:

COMES NOW, CREDITOR DEMETRIO AMADOR INC. / DEMETRIO AMADOR
ROBERTS, ("AMADOR"), through the undersigned attorney to object to the *Revised*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566- LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Proposed Order And Judgment Confirming Modified Eighth Amended Title III Joint Plan Of Adjustment Of The Commonwealth Of Puerto Rico, Et Al filed at docket 19188 and to respectfully state and pray:

1. The Financial Oversight and Management Board for Puerto Rico filed a Revised *Proposed Order And Judgment Confirming Modified Eighth Amended Title III Joint Plan Of Adjustment Of The Commonwealth Of Puerto Rico, Et Al* on November 12, 2021, Docket No. 19188.
2. This objection is filed in compliance with the Amended Order Directing Supplemental Briefing and Oral Argument on Issues Pertaining to the Confirmation Hearing dated November 12, 2021 at Docket #19179.
3. AMADOR is a Takings Clause Claimant, an eminent domain and inverse condemnation creditor in this Title III proceeding. On June 15, 2021, AMADOR joined PFZ's Objection to the Disclosure Statement and filed the Joinder at docket entries 17005. An Objection to Confirmation of the Seventh Proposed Plan was filed by AMADOR on October 19, 2021 by joining the Objection filed by Sucesion Pastor Mandry, the Joinder was filed at docket 18582.
4. AMADOR has opposed the classification and treatment provided to in the Plan of Readjustment because it fails to correctly classify the eminent domain and inverse condemnation creditors; fails to recognize these claims as non-dischargeable; fails to pay the just compensation, and forsakes the requirements under the Takings Clause of the Fifth Amendment of the Constitution of the United States.

5. AMADOR seeks the determination of its claim as a non-dischargeable claim and the payment in full under the Plan.
6. However, the Revised Proposed Order filed at docket 19188 fails to provide an alternate scenario on the non-dischargeability of eminent domain claims under section 944(c)(1) of the Bankruptcy Code applicable to PROMESA and this Title III proceeding.
7. The Discharge provision of the Revised Proposed Order at docket 19188 assumes the Court will not exempt the Takings Clause claimants from the discharge provisions of section 944 (c)(1), even though this Honorable Court has not determined the dischargeability of these claims.
8. AMADOR reserves its right to present additional arguments beyond the issues stated in this Objection.

WHEREFORE, AMADOR respectfully prays for this Honorable Court to take notice of this objection.

I HEREBY CERTIFY, that on this same date I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system, which will send electronic notification to all participants.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 15th day of November 2021.

COUNSEL FOR AMADOR

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